

TESTIMONY OF JACQUES CHAPMAN, RECORDING SECRETARY, AMALGAMATED  
TRANSIT UNION NEW YORK STATE LEGISLATIVE CONFERENCE BOARD AND  
PRESIDENT/BUSINESS AGENT, AMALGAMATED TRANSIT UNION LOCAL 282  
JOINT ASSEMBLY AND SENATE TRANSPORTATION BUDGET HEARING

JANUARY 30, 2019

Assembly Ways & Means Chair Weinstein, Senate Finance Chair Krueger, and members of the Joint Transportation Budget Committee. I thank you for this opportunity to submit testimony for your consideration as you begin to review proposals with respect to the Governor's proposed 2019 – 2020 New York State Budget. My name is Mark Henry, and I serve as the President of the Amalgamated Transit Union (ATU) New York State Legislative Conference Board and as President/Business Agent of Amalgamated Transit Union (ATU) Local 1056 in Queens. I am joined today by Jacques Chapman. Jacques serves as the Recording Secretary for the Amalgamated Transit Union New York State Legislative Conference Board and as President/Business Agent of Amalgamated Transit Union (ATU) Local 282 in Rochester. We are here today on behalf of the Amalgamated Transit Union New York State Legislative Conference Board. Jacques and I represent nearly 4,000 bus operators and mechanics in our cities and schools, and Statewide, the ATU represents more than 25,000 hard-working transit workers throughout ATU cities including Albany, Binghamton, Buffalo, New York City, Rochester and Syracuse.

We are here today to express our strong support for several proposals in the proposed 2019 - 2020 budget. First and foremost, we strongly support Part WW of the Governor's proposed Revenue Budget. Part WW would expand the special supplemental auto rental surcharge from the Metropolitan Commuter Transportation District to the rest of the State. The funds generated by this surcharge would be used directly to support Upstate public transportation systems.

Across Upstate New York, there are over 60 transit systems providing service in 48 of 50 Upstate counties. Upstate systems provide 575,000 rides each day for Upstate residents and provide critical access to work, school, medical appointments, and other destinations for millions of Upstate residents. Many of these riders have no other means of transportation, and our services provide a measure of freedom that they would not have otherwise.

More broadly, a healthy upstate transit system provides benefits to all the residents of a region in which we operate. A large percentage of our ridership has no other means of transportation. Without public transportation, our riders would not be able to get to work, their appointments or even the store. Additionally, it also decreases dependence on foreign energy sources, reduces greenhouse gases, and helps to alleviate traffic congestion.

Upstate residents have increased their use of transit, and we expect continued growth in the coming years. Transit has been and will continue to be a key component of reviving the Upstate economy. Upstate transit serves areas around colleges and is poised to add service to bring workers to new jobs. As we take advantage of transit services, economic development can expand with less investment in roadway and parking infrastructure.

The ATU has always maintained that the State needs additional funding streams dedicated exclusively to the Upstate Transit systems and Part WW of the Revenue bill would do just that. Several of the Upstate Transit Authorities have grappled with funding gaps over the past few years because of increased ridership and system demands that weren't adequately funded. Thankfully, the State was able to help these authorities cover the gaps, but now with dedicated funding for the Upstate Transit Systems, the gaps will be easier to manage and address because there will be certainty in our funding.

The past lack of appropriate funding has cut into the long-term investments that Upstate systems can make in their operations. In fact, many of the Upstate systems have been forced to use capital funding for day-to-day operations simply to ensure continued levels of service. We

believe that the dedicated funding stream proposed by the Governor in Part WW of the proposed budget will reverse this trend and allow for a return to the days of full capital investment. These capital investments are even more critical as technology continues to expand and riders expect better, faster and more reliable service.

In addition to Part WW of the proposed 2019 - 2020, there are several more proposals that the ATU Conference Board strongly supports. We support Part E of the Public Protection Bill to protect union worker privacy. This provision would prohibit the disclosure of personal information by public employers for all public sector employees at the State and local level. Public sector unions are under attack, and the ATU strongly supports any efforts that will protect public sector unions and our members. After the Supreme Court's Janus decision, organizations began campaigns designed to undermine unions and encourage our members to stop paying dues. Provisions such as Part E will protect our members privacy and prevent them from being harassed by anti-union elements that do not understand or appreciate the significant and important role unions play in the lives of working New Yorkers. New York must continue to do everything it can to protect unions, and the ATU feels Part E of the Public Protection Budget is an important step in this protection.

We also support Part C of the Education Budget Bill authorizing bus stop cameras and increased fines for passing a stopped school bus. ATU Local 1181 represents nearly 12,000 school bus drivers, mechanics and matrons, so we know firsthand the importance of this legislation. Too often, cars speed past buses that are picking up or dropping off students. This legislation will help to find and punish those that put the lives of schoolchildren at risk when they speed past stopped school buses.

Next, we support Part HH of the Transportation Budget Bill to extend the sunset on the binding arbitration provisions for the MTA. The public binding arbitration panels have been used in the downstate transit area for over thirty years. In those thirty years, there have been no negative

impacts from having these panels. In fact, all reports regarding this provision have been positive. The binding arbitration provision ensures a fair and equitable resolution to the collective bargaining impasse for both the employer and employee, and it helps to ensure that public transit riders continue to enjoy uninterrupted service.

Finally, we also support Part II of the Transportation Budget Bill to increase transportation worker assault protections. Due to the nature of our employment, which includes dealing with complaints, working alone at late hours, and enforcing regulations, transit employees are vulnerable to horrific criminal acts. As we have outlined, we have experienced our share of fare increases and service cuts in recent years, and riders perceive this as inferior service. Quite often, they take out their frustrations on the transit workers. In the past few years, we have seen a dramatic increase in the level and intensity of senseless attacks on defenseless transit workers. Nationwide, drivers have been punched, slapped, stabbed, shot, and had bodily fluids thrown upon them. Any measures that can be put in place to discourage this behavior and protect transit workers, like Part II, is something we support.

In addition to the items that we support in the Executive Budget, we would also like to ask the Senate and Assembly to consider once again adding a proposal to restore critical employee protections to New York City school bus drivers, attendants and mechanics. The proposal we are asking you to consider would require that any future RFB or RFP, issued by the City of New York, for the transportation of schoolchildren, include employee protection provisions (EPPs). The employee protection provisions require contractors to hire experienced and qualified workers from a master seniority list. These provisions are union neutral and work to ensure that the most senior qualified driver, matron or mechanic is retained by the contractor who wins the bid. As you may be aware, these protections were in all contract until 2012, when then Mayor Bloomberg removed them from contracts for a portion of the industry. Since their removal, there has been strong support for returning the EPPs to the bid process, we are hoping that we can finally change State

law to ensure that all future bids will include EPPs and return stability to the New York City school bus industry.

Thank you for the opportunity to testify today on these many important proposals that impact public transit in New York. For the reasons outlined above, the Amalgamated Transit Union New York State Legislative Conference Board strongly supports Part WW of the Revenue Bill, and the other outlined proposals, and we respectfully ask that both houses accept these proposals that support public transportation and public transit workers.

